

**ZB# 04-43**

**First Columbia**

**3-1-55.1**

ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, N.Y. 12553  
*GRANTED 7-14-04*

ZBA #04-43 FIRST COLUMBIA 575  
HVA (SIGN) (3-1-55.1)

July 12, P.M.

OFFICE OF THE BUILDING INSPECTOR  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

DATE: 4/28/04

APPLICANT: First Columbia  
575 Hudson Valley Avenue  
New Windsor, NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 4/27/04

FOR : Façade sign (3.33ft x 11.5ft)

LOCATED AT: 575 Hudson Valley Avenue


ZONE: API      Sec/ Blk/ Lot: **3-1-55.1**

DESCRIPTION OF EXISTING SITE:

IS DISAPPROVED ON THE FOLLOWING GROUNDS: 48-18H1b

1. One Façade sign 2.5ft x 10ft permitted. Proposed façade sign will be 3.33ftx11.5ft. A variance of .83 height and 1.5ft width is required.

**COPY**

  
BUILDING INSPECTOR

PERMITTED

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: API      USE: Façade sign professional office building

SIGN:

FREESTANDING:

HEIGHT:

WIDTH:

WALL SIGNS:	2.5ftx10ft	3.33ftx11.5ft	.83ftx1.5ft
-------------	------------	---------------	-------------

TOTAL ALL SIGNS:

FEET FROM ANY LOT LINE:

cc: Z.B.A., APPLICANT, FILE, W/ATTACHED MAP

04-43

Lou

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
**IMPORTANT**  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

Liab - Accord  
Form

Comp. - C105.2  
or  
426.3  
Form

FOR OFFICE USE ONLY:

Building Permit #: PA 2004-0575

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS  
REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises First Columbia 575 HVA, LLC

Address 575 Hudson Valley Avenue, New Windsor, NY Phone # 518-213-1000

Mailing Address 26 Century Hill Drive, Latham, NY 12110 Fax # 518-213-1020

Name of Architect

Address \_\_\_\_\_ Phone \_\_\_\_\_

Name of Contractor One Day Sions

Address 105 Broad Street, Waterford, NY 12188

518-237-5774 Phone

State whether applicant is owner, lessee, agent, architect, engineer or builder Owner

If applicant is a corporation, signature of duly authorized officer.  
(Name and title of corporate officer)

1. On what street is property located? On the East side of 575 Hudson Valley Avenue  
(N,S,E or W)  
and North 100 feet from the intersection of NYS Route 207
2. Zone or use district in which premises are situated Airport -1 Is property a flood zone? Y N X
3. Tax Map Description: Section 3 Block 1 Lot 55.1
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.  
a. Existing use and occupancy medical office bldg. b. Intended use and occupancy same
5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other
6. Is this a corner lot? yes
7. Dimensions of entire new construction. Front \_\_\_\_\_ Rear \_\_\_\_\_ Depth \_\_\_\_\_ Height \_\_\_\_\_ No. of stories \_\_\_\_\_
8. If dwelling, number of dwelling units: N/A Number of dwelling units on each floor N/A  
Number of bedrooms \_\_\_\_\_ Baths \_\_\_\_\_ Toilets \_\_\_\_\_ Heating Plant: Gas \_\_\_\_\_ Oil \_\_\_\_\_  
Electric/Hot Air \_\_\_\_\_ Hot Water \_\_\_\_\_ If Garage, number of cars \_\_\_\_\_
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use medical office bldg.
10. Estimated cost \$2,500.00 Fee \_\_\_\_\_

**ZONING BOARD**

/ /  
date

APPLICATION FOR BUILDING PERMIT  
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK  
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock  
Asst. Inspectors Frank Lisi & Louis Krychear  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York 12553  
(845) 563-4618  
(845) 563-4695 FAX

Bldg Insp Examined \_\_\_\_\_  
Fire Insp Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

*Christ L. Smith*  
(Owner's Signature)

(Address of Applicant)

26 Century Hill Drive, Suite 101, Latham, NY 12110

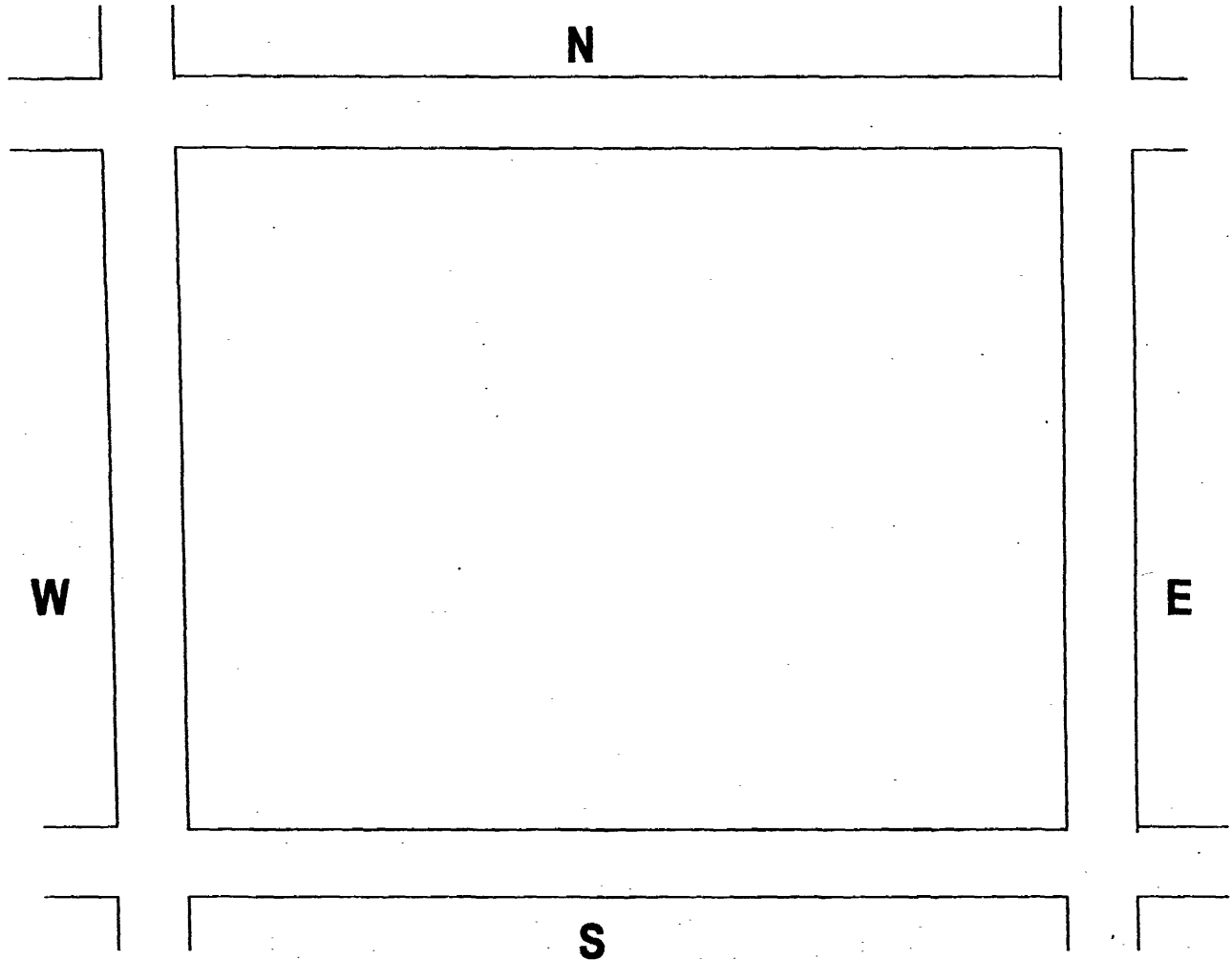
(Owner's Address)

PLOT PLAN



**NOTE:**

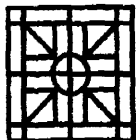
Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



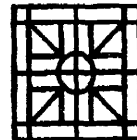


# Medical Center of New Windsor

16"



10"

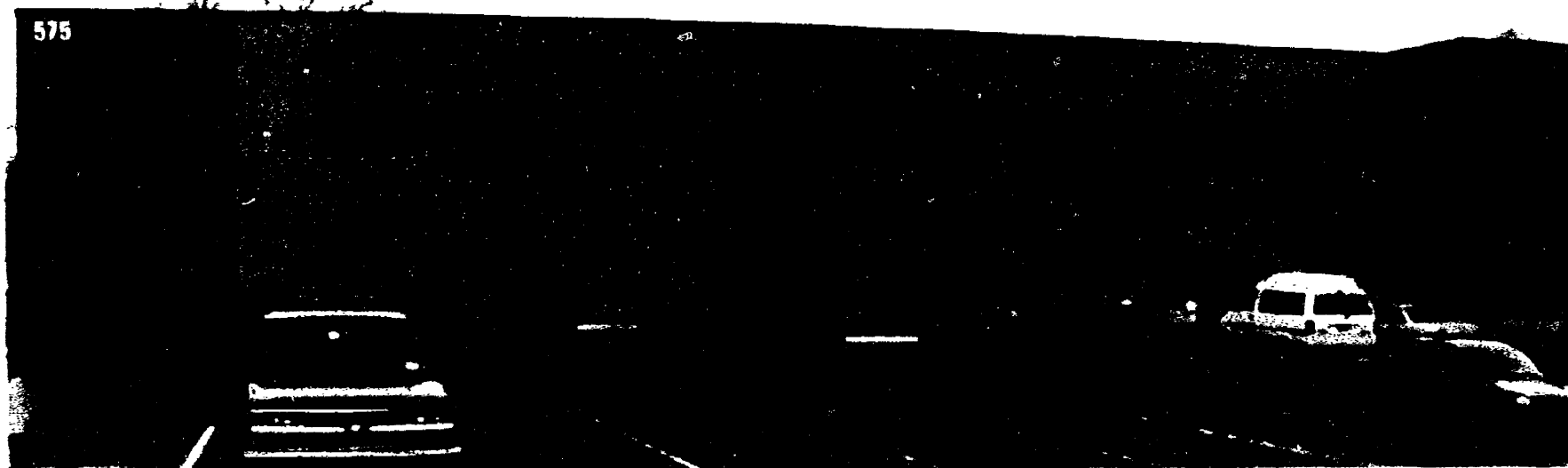


40"

137"

04-43

575



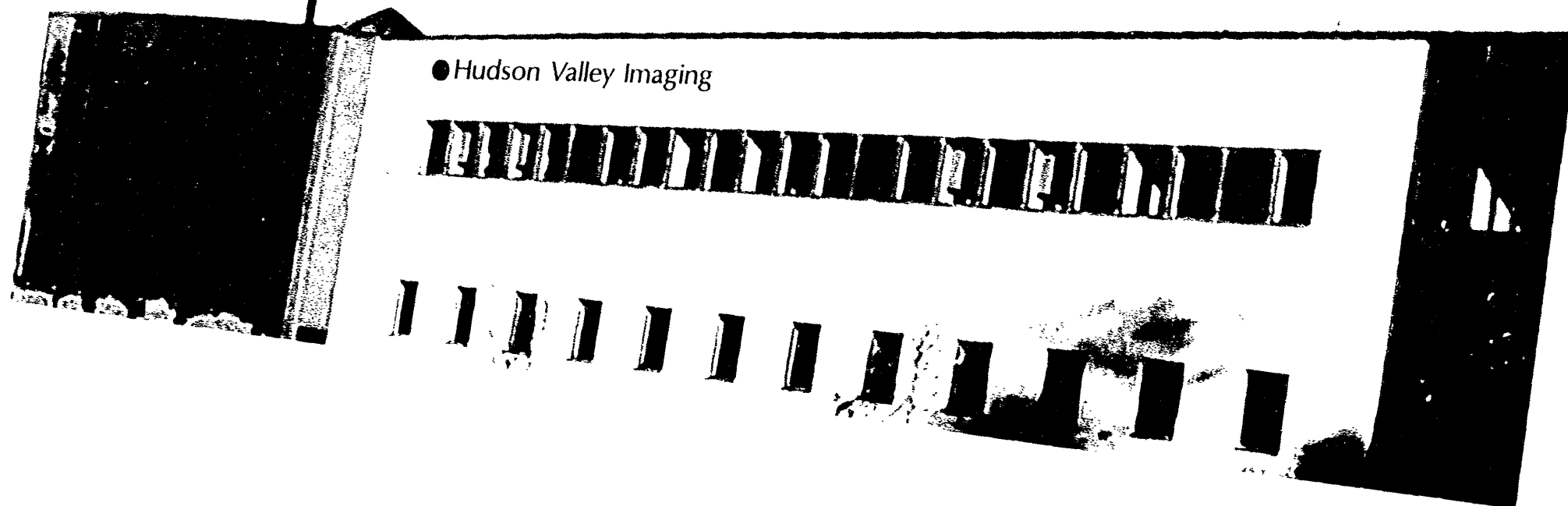
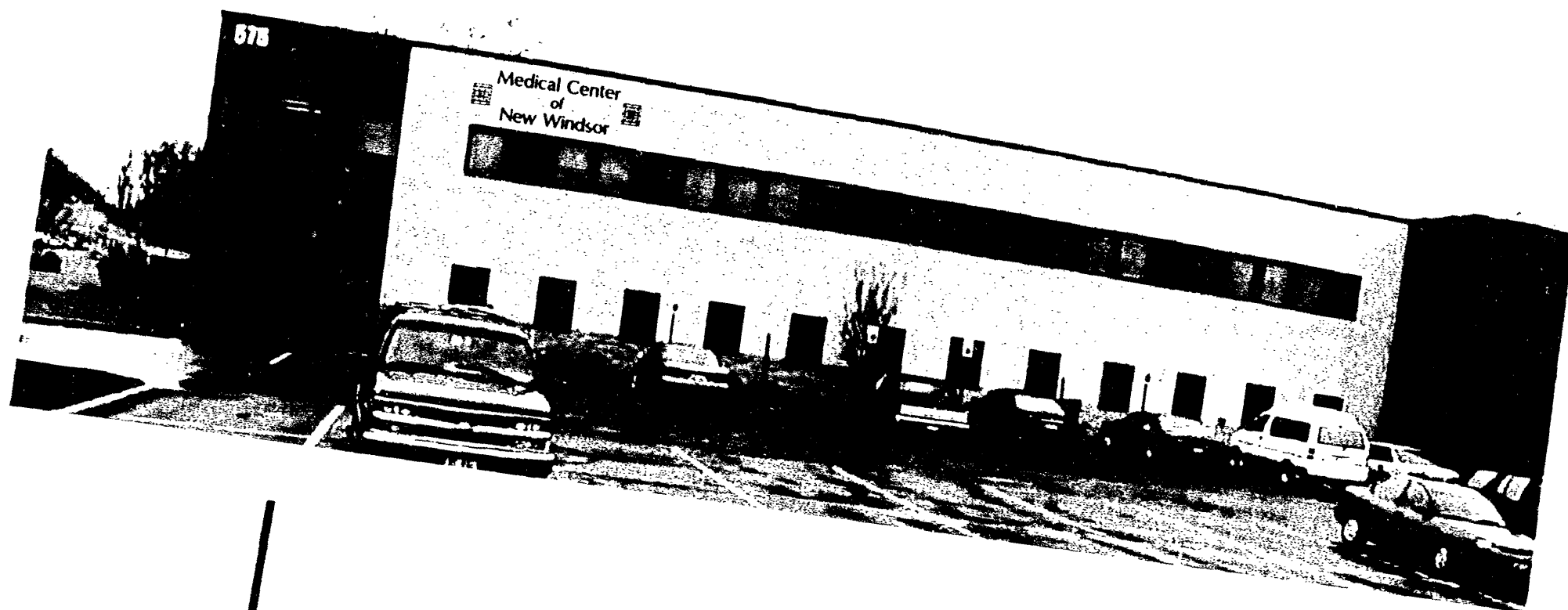














# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695

## OFFICE OF THE ZONING BOARD OF APPEALS

September 21, 2004

First Columbia 575 HVA, LLC  
26 Century Hill Drive - Suite 101  
Latham, NY 12110

SUBJECT: REQUEST FOR VARIANCE #04-43

Dear Chris:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

---

Myra Mason, Secretary to the  
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 3-1-55.2

-----X  
In the Matter of the Application of

MEMORANDUM OF  
DECISION GRANTING

**FIRST COLUMBIA**

**AREA (SIGN)**

CASE #04-43  
-----X

**WHEREAS, Christopher Bette** , owner(s) of 575 Hudson Valley Avenue , New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for .83 ft. X 1.5 ft. (48-18H1b) for proposed façade sign at 575 Hudson Valley Avenue in an AP-1 Zone (3-1-55.1)

**WHEREAS,** a public hearing was held on July 14, 2004 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS,** the Applicant appeared on behalf of this Application; and

**WHEREAS,** there were no spectators appearing at the public hearing; and

**WHEREAS,** no one spoke in favor of or in opposition to the Application; and

**WHEREAS,** a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

**WHEREAS,** the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
  - (a) The property is a commerical property located in a neighborhood of commercial properties on a busy State Highway.
  - (b) The property consists of a single large building containing a number of medical and medically related offices. The applicant proposes placing a sign on the building to identify the building as the Medical Center so as to obviate the need for signs for each individual tenant. The sign will be placed on the side of the building and will not be placed higher than the building. The sign will be

illuminated from exterior, ground-mounted lighting which will be steady. The sign will contain no neon or flashing lights.

- (c) The sign is similar in size and appearance to other signs in the neighborhood.
- (d) The front of the building is located more than 150 feet from the adjacent State roadway and one of the reasons the applicant is proposing an increase in the height of the sign is so that it will be visible from the adjacent roadway.
- (e) The present signage consists of a free-standing sign along Rt. 207, which will be removed if the application is granted, so that there will be no free-standing sign.

**WHEREAS,** The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

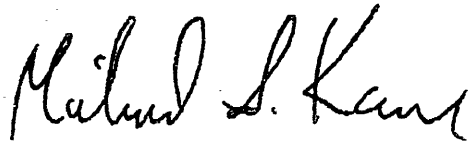
**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a .83 ft. X 1.5 ft. (48-18H1b) for proposed façade sign at 575 Hudson Valley Avenue in an AP-1 Zone (3-1-55.1) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

**BE IT FURTHER**

**RESOLVED**, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: July 14, 2004

A handwritten signature in cursive script, appearing to read "Michael S. Kame", is written over a horizontal line.

Chairman

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
OFFICE  
845-563-4615**

**MEMORANDUM**

**TO: LARRY REIS, COMPTROLLER**  
**FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD**  
**DATE: 08-09-04**  
**SUBJECT: ESCROW REFUND**

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 397.00 TO CLOSE OUT  
ESCROW FOR:**

**ZBA FILE #04-43**

**NAME & ADDRESS:**

**First Columbia 575 HVA,LLC  
26 Century Hill Drive - Suite 101  
Latham, NY 12110**

**THANK YOU,**

**MYRA**

**L.R.08-09-04**



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
RECORD OF CHARGES & PAYMENTS**



FILE #04-43      TYPE: SIGN

APPLICANT Name & Address:  
**First Columbia 575 HVA, LLC**  
**26 Century Hill Drive - Suite 101**  
**Latham, NY 12110**

TELEPHONE:    518-213-1000

RESIDENTIAL:	\$ 50.00	CHECK # _____
COMMERCIAL	\$ 150.00	CHECK # <u>10307</u>
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW:            COMMERCIAL \$500.00            CHECK # 10308

~~~~~

| <u>DISBURSEMENTS:</u>        |                  | <u>MINUTES</u><br><u>\$5.50 / PAGE</u> | <u>ATTORNEY</u><br><u>FEE</u> |
|------------------------------|------------------|----------------------------------------|-------------------------------|
| PRELIMINARY:                 | <u>2</u> PAGES   | \$ <u>11.00</u>                        | \$ <u>35.00</u>               |
| 2 <sup>ND</sup> PRELIMINARY: | <u>   </u> PAGES | \$ <u>   </u>                          | \$ <u>   </u>                 |
| PUBLIC HEARING:              | <u>4</u> PAGES   | \$ <u>22.00</u>                        | \$ <u>35.00</u>               |
| PUBLIC HEARING:              | <u>   </u> PAGES | \$ <u>   </u>                          | \$ <u>   </u>                 |

TOTAL:            \$ 33.00            \$ 70.00

~~~~~

ESCROW POSTED:            \$ 500.00

LESS: DISBURSEMENTS:    \$ 103.00

AMOUNT DUE:              \$   

REFUND DUE:              \$ 397.00

Cc:

L.R. 08-09-04

FIRST COLUMBIA (04-43)

Mr. Chris Bette appeared before the board for this proposal.

MR. KANE: Request for .83 ft. x 1.5 ft. for proposed facade sign at 575 Hudson Valley Avenue.

MR. BETTE: We're in addition to the Hudson Valley, I'm asking the board to allow a sign that would brand the building as the Medical Center of New Windsor, we have different medical practices, very different affiliations to different hospitals and we thought that we could accommodate all the practices under one umbrella, being a Medical Center of New Windsor for this building so people wouldn't refer to it as the Hudson Valley Imaging building, it would be the Medical Center of New Windsor. More of a branding, give people the ability to identify the building with a location, it's easier.

MR. KANE: Again, the sign, is the sign going to be illuminated?

MR. BETTE: Sign is going to be up lit very similar to the other sign.

MR. KANE: No flashing illumination?

MR. BETTE: Steady illumination.

MR. KANE: I see that you put the, superimposed the sign on the building, is that the way it's going to be above each other like that?

MR. BETTE: Yes.

MR. KANE: Did you see that, Mike, I think that, tell me if that changes things.



MR. BABCOCK: You've got two pictures in your hand there.

MR. BETTE: The multi line text, is that what you're referring to?

MR. BABCOCK: This is a different side of the building than this.

MR. KANE: Right but if we're going for a, is that 11 from the Medical Center and then it says of and then New Windsor, our total height is 11.5 feet from the top to the bottom?

MR. BABCOCK: No, no, no.

MR. BETTE: No, these signs, they'll be 10 inch letters, three rows of 10 inches letters.

MR. BABCOCK: Here it is.

MR. KANE: Are we taking each line?

MR. BABCOCK: No, I'm taking the entire piece here, which is three foot, let's see get the right one out here.

MR. KANE: 3.33 foot.

MR. BABCOCK: He's allowed--

MR. KANE: 2.5.

MR. BABCOCK: He's allowed 2.5 and he's proposing 3.33, it's 40 inches, both signs Medical Center, that entire sign is 40 inches high.

MR. KANE: Okay.

MR. BABCOCK: And he's allowed 2 1/2 foot so he's only

asking for .83 which is just under one foot height.

MR. KANE: Okay, just again it's superimposed, it just looks a lot bigger so I wanted to make sure.

MR. BABCOCK: It just does, yes.

MR. KANE: That's the only question I had.

MR. KRIEGER: The other one it won't project above the building?

MR. BABCOCK: No.

MR. MINUTA: The only question that I have and I'm not sure if it even relates to this but I'm going to bring it to your attention anyway. If we're going to brand the building as Medical Center of New Windsor which I think is a great asset to the Town of New Windsor that the other signs may want to be subservient to that sign.

MR. BETTE: We took that into account, the Hudson Valley Imaging sign is of smaller height, I think it's an 8 inch letter, again, the distance from the road and the readability I think required eight inches and then we made the other one a little larger.

MR. MINUTA: Visually speaking, seeing Hudson Valley on the right and Medical Center on the left from my view higher and possibly these aren't to scale but it would in my opinion the Hudson Valley Imaging would be a much larger presence than the Medical Center of New Windsor so some confusion may be there.

MR. BETTE: I think it's the scale of the drawing.

MR. MINUTA: Very well, thank you.

MR. KRIEGER: As with the other one, you wouldn't have

any freestanding sign in addition to this, this would be it?

MR. BETTE: This would be it.

MR. KRIEGER: And it's also approximately and in excess of 150 feet from the roadway, same building?

MR. BETTE: Correct.

MR. KANE: At this point, I will open it up to the public and ask if there's anybody in the audience for this particular hearing? Seeing as there is not we will close the public portion of the hearing and ask Myra how many mailings we had.

MS. MASON: On June 22nd, I mailed out 5 addressed envelopes and had no responses.

MR. KANE: Any other questions, guys? Accept a motion.

MR. REIS: I'll make the motion that we approve First Columbia's request for a .83 foot by 1 1/2 foot proposed facade sign at 575 Hudson Valley Avenue.

MR. RIVERA: Second it.

ROLL CALL

MR. MINUTA	AYE
MS. LOCEY	AYE
MR. REIS	AYE
MR. RIVERA	AYE
MR. KANE	AYE

FIRST COLUMBIA (04-43)

Mr. Chris Bette appeared before the board for this proposal.

MR. KANE: You're going for .83 foot and 1.5 foot variance?

MR. BETTE: This sign is three rows of lettering so I think we might fit into the width requirement, we don't fit into the height requirement.

MR. BABCOCK: No, the width is a little over also. You got this, Mr. Chairman, this is the sign that we're talking about now?

MR. KANE: But he's only .83 on the height?

MR. BABCOCK: Yeah.

MR. KANE: And 1 1/5 on the length. Again, any illumination on this sign?

MR. BETTE: Same, we're going to have ground and uplighting.

MR. KANE: No flashing? Separate things, we have to go through.

MR. BETTE: No, solid lettering, similar, same color as the other sign.

MR. KRIEGER: How far off the roadway is the facade?

MR. BETTE: I knew you were going to ask me that.

MR. KRIEGER: Approximately?

MR. BETTE: It's over 100 feet, I think we're about 130 feet from the edge of the road.

June 14, 2004

16

MR. REIS: Proportionately for the size of the building.

MR. BETTE: The building is 250 feet long.

MR. BABCOCK: He's entitled to have one wall sign for every tenant that he has in the building so he's really only asking for the two and he's got how many tenants?

MR. BETTE: Five or six.

MR. MC DONALD: Accept a motion?

MR. KANE: Yes, I will.

MR. MC DONALD: Make a motion we set up First Columbia for the requested hearing for the .83 foot and 1.5 foot variance for the proposed facade sign at 575 Hudson Valley Avenue.

MR. REIS: Second it.

ROLL CALL

MR. RIVERA	AYE
MR. REIS	AYE
MR. MC DONALD	AYE
MR. KANE	AYE

MR. BETTE: Thank you very much.



RESULTS OF Z.B. MEETING OF:

July 12, 2004

PROJECT: First Columbia

ZBA # 04-43  
P.B.#



USE VARIANCE:

NEED: EAF

PROXY

LEAD AGENCY: M)      S)      VOTE: A      N       
RIVERA       
MCDONALD      CARRIED: Y      N       
REIS       
MINUTA       
KANE     

NEGATIVE DEC: M)      S)      VOTE: A      N       
RIVERA       
MCDONALD      CARRIED: Y      N       
REIS       
MINUTA       
KANE     

PUBLIC HEARING: M)      S)      VOTE: A      N       
RIVERA       
MCDONALD      CARRIED: Y      N       
REIS       
MINUTA       
KANE     

APPROVED: M)      S)      VOTE: A      N       
RIVERA       
MCDONALD      CARRIED: Y      N       
REIS       
MINUTA       
KANE     

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M)      S)      VOTE: A      N       
RIVERA       
MCDONALD       
REIS      CARRIED: Y      N       
MINUTA       
KANE     

PUBLIC HEARING:

STATEMENT OF MAILING READ INTO MINUTES ✓

VARIANCE APPROVED:

M) RS S) RV VOTE: A 5 N 0.

X RIVERA A  
~~MCDONALD~~ A  
LOCEY A  
REIS A  
MINUTA A  
KANE A

CARRIED: Y ✓ N     .

No Public Comment

-----X

FIRST COLUMBIA

#04-43

**JENNIFER MEAD**  
Notary Public, State Of New York  
No. 01ME6050024  
Qualified In Orange County  
Commission Expires 10/30/ 2006

**PUBLIC HEARING NOTICE**  
**ZONING BOARD OF APPEALS**  
**TOWN OF NEW WINDSOR**

**PLEASE TAKE NOTICE** that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

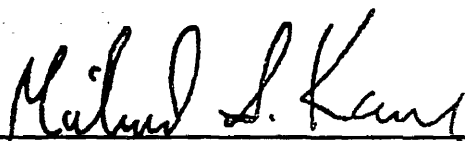
**Appeal No. 04-43**

**Request of FIRST COLUMBIA**

**for a VARIANCE of the Zoning Local Law to Permit:**

**Request for .83 ft. X 1.5 ft. (48-18H1b) for proposed façade sign at 575 Hudson Valley Avenue in an AP-1 Zone (3-1-55.1)**

**PUBLIC HEARING will take place on JULY 12, 2004**  
**at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York**  
**beginning at 7:30 P.M.**

A handwritten signature in dark ink, appearing to read "Michael S. Kane", is written over a horizontal line.

**Michael Kane, Chairman**





# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695

## ZONING BOARD OF APPEALS

June 22, 2004

First Columbia 575 HVA, LLC  
26 Century Hill Drive - Suite 101  
Latham, NY 12110

ATTN: CHRIS BETTE

SUBJECT: REQUEST FOR VARIANCE #04-43

Dear Chris:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Sentinel Newspaper for publication. **PLEASE NOTE: The Sentinel will bill you directly for this ad. This is not included in the escrow you posted upon application.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

575 Hudson Valley Avenue  
New Windsor, NY

is scheduled for the July 12, 2004 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

---

Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm





# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-4693

## Assessors Office

June 9, 2004

First Columbia  
ATT: Chris Bette  
26 Century Hill Drive  
Suite 101  
Latham, NY 12110

Re: 3-1-55.1 ZBA# 04-43

Dear Mr. Bette:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is covered by your deposit of \$25.00.

Sincerely,

J. Todd Wiley, IAO  
Sole Assessor

JTW/tmp  
Attachments

CC: Myra Mason, Zoning Board

32-2-4

NYS DOT

c/o Carlton Boorn, Acct. Dept.  
State Campus DOT - Bldg 5 - Room 401  
Albany, NY 12232

32-2-7

Central Hudson Gas & Elect. Corp

ATT: Tax Agent

South Road

Poughkeepsie, NY 12602

32-2-8

Kaboom Realty, LLC

470 Little Britain Road

Newburgh, NY 12550

32-2-80

Sisters of the Presentation of the Mt. St.

Joseph Blessed Virgin

880 Jackson Avenue

New Windsor, NY 12553

32-2-52

NYC Dept. of EP

c/o NYC Dept of Water Supply OWSL

465 Columbus Avenue - Suite 350

Valhalla, NY 10595

**TOWN OF NEW WINDSOR**  
**ZONING BOARD OF APPEALS**

**RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 06-03-04

FOR: ESCROW 04-43

FROM: FIRST COLUMBIA 575 HVA, LLC

26 CENTURY HILL DRIVE - SUITE 101

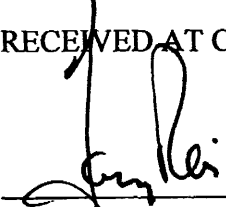
LATHAM, NY 12110

CHECK NUMBER: 10308

TELEPHONE: 518-213-1000

AMOUNT: 500.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

  
NAME \_\_\_\_\_ DATE 6/3/04

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

**Town of New Windsor**  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT**  
**#543-2004**

06/03/2004

First Columbia L L C *ZBA 04-43*  
26 Century Hill Drive, Suite 101  
Latham, NY 12110

Received \$ 150.00 for Zoning Board Fees, on 06/03/2004. Thank you for  
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green  
Town Clerk



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4615  
Fax: (845) 563-4695

## ZONING BOARD OF APPEALS

June 3, 2004

First Columbia 575 HVA, LLC  
26 Century Hill Drive - Suite 101  
Latham, NY 12110

ATTENTION: CHRISTOPHER J. BETTE

SUBJECT: REQUEST FOR VARIANCE #04-43

Dear Chris:

This letter is to inform you that you have been placed on the June 14<sup>th</sup>, 2004 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

575 Hudson Valley Ave.  
New Windsor, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

---

Myra Mason, Secretary  
Zoning Board of Appeals

MLM:mlm

PROJECT NUMBER: ZBA# 04-43 P.B. # \_\_\_\_\_

TELEPHONE: **518-213-1000**

THIS LIST IS BEING REQUESTED BY:

**SITE PLAN OR SUBDIVISION:** (ABUTTING AND ACROSS ANY STREET \_\_\_\_\_)

**SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET)** \_\_\_\_\_

(ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'  
OF SITE PLAN OR SUBDIVISION PROJECT)

NEW WINDSOR ZONING BOARD XXX

**LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX**

AMOUNT OF DEPOSIT: **25.00** CHECK NUMBER: **10309**

TOTAL CHARGES: \_\_\_\_\_





**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**



**APPLICATION FOR VARIANCE**

5/19/04

Date

Application Type: Use Variance ☐ Area Variance ☐  
Sign Variance ☐ Interpretation ☐

**I. Owner Information:**

First Columbia 575 HVA, LLC

(Name)

26 Century Hill Drive, Suite 101, Latham, NY 12110

(Address)

Phone Number: (518) 213-1000

Fax Number: (518) 213-1020

**II. Applicant:**

First Columbia 575 HVA, LLC

(Name)

26 Century Hill Drive, Suite 101, Latham, NY 12110

(Address)

Phone Number: (518) 213-1000

Fax Number: (518) 213-1020

**III. Forwarding Address, if any, for return of escrow:** Phone Number: ( )

Fax Number: ( )

(Name)

(Address)

**IV. Contractor/Engineer/Architect/Surveyor/:**

Phone Number (518) 237-5774

Fax Number: ( )

One Day Signs

(Name)

105 Broad Street, Waterford, NY 12188

(Address)

**V. Property Information:**

Zone: Airport-1 Property Address in Question: 575 Hudson Valley Avenue

Lot Size: 3.5 acres Tax Map Number: Section 3 Block 1 Lot 55.1

a. What other zones lie within 500 feet? Airport

b. Is pending sale or lease subject to ZBA approval of this Application? No

c. When was property purchased by present owner? N/A

d. Has property been subdivided previously? Yes If so, When: 2003

e. Has an Order to Remedy Violation been issued against the property by the  
Building/Zoning/Fire Inspector? No

f. Is there any outside storage at the property now or is any proposed? No

**\*\*\*\*PLEASE NOTE:\*\*\*\*\***

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF  
SUBMITTAL.**

**04-43**

COMPLETE THIS PAGE ☐



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NY 12553  
(845) 563-4615 (MYRA MASON)



## ZONING BOARD PROCEDURES

**PLEASE READ PAGE ONE AND TWO OF THIS PACKAGE AND SIGN PAGE TWO  
IT EXPLAINS THE PROCEDURE TO BE FOLLOWED FOR YOUR APPLICATION.**

PLEASE COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

**RESIDENTIAL: (Three Separate Checks Please)**

APPLICATION FEE:	\$ 50.00
*ESCROW:	\$300.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**MULTI-FAMILY: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**COMMERCIAL: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

**INTERPRETATION: (Three Separate Checks Please)**

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

YOU WILL THEN BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING".

\*

### **ESCROW**

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

THE APPLICANT WILL BE BILLED DIRECTLY FOR THE PUBLIC HEARING ADVERTISEMENT IN THE "SENTINEL NEWSPAPER"

\*\*\*

LIST OF PROPERTY OWNERS  
WITHIN 500 FT. RADIUS OF  
PROPERTY IN QUESTION:

APPROXIMATE COST FOR  
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES  
IS \$1.00 EA. ADDITIONAL  
NAME

FOLLOWING YOUR PRELIMINARY MEETING, THE ZONING BOARD SECRETARY WILL ORDER YOUR "PUBLIC HEARING LIST" FROM THE ASSESSOR'S OFFICE.

1. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THIS WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
2. PREPARE AN ENVELOPE (*self-sealing envelopes are much appreciated*) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. ***YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.***

**NOTE:**

**IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.**

**\*\* MUST READ AND SIGN \*\***

***I UNDERSTAND THAT I WILL BE BILLED DIRECTLY FOR MY "LEGAL NOTICE" TO BE PUBLISHED IN THE SENTINEL NEWSPAPER FOR MY PUBLIC HEARING....(this charge is not deducted from your escrow posted).***

  
SIGNATURE

  
DATE

**NOTE:**

THE ZBA MEETS ON THE 2<sup>ND</sup> AND 4<sup>TH</sup> MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE. (JULY AND AUGUST – ONE MEETING PER MONTH ONLY)

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an ~~Area~~ <sup>Sign</sup> Variance:

The proposed facade sign is requested by First Columbia to give the building an identity ("Brand" the building). Tenant's clients and visitors will find that it will be much easier to identify the building location by the building name versus the street address. First Columbia would like to carry-on, throughout the development of the New York International Plaza (NYIP), a "Branding" of each facility. Care will be taken to differentiate the style of the signs (color, materials, layout) building to building but providing some commonality to tie them to the overall NYIP development. Signs using business names and/or logos of a corporate resident (building tenant) are envisioned. Showcasing the corporate identity of businesses, especially adjacent to the International Airport, will help establish NYIP and the Town of New Windsor as the business center for the County.

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**04-43**

COMPLETE THIS PAGE ☐

**OWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

**X. SIGN VARIANCE:**

- (a) Variance requested from New Windsor Zoning Local Law,  
Section 48-18, Supplementary Sign Regulations

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign #1		2.5' x 10'	3.3' x 11.4'
Sign #2			
Sign #3			
Sign #4			

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversized signs.

The sign for which we are requesting a variance will be a building  
identification facade sign which will face Rt. 207. By granting a  
variance for this sign, it will become much more visible to both  
patients and visitors to the building.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building and freestanding signs 103 +/-?

**XI. INTERPRETATION:**

- (a) Interpretation requested of New Windsor Zoning Local Law,  
Section \_\_\_\_\_

- (b) Describe in detail the proposal before the Board:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**04-43**

COMPLETE THIS PAGE ☐

**XII. ADDITIONAL COMMENTS:**

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
- \_\_\_\_\_
- \_\_\_\_\_

**XIII. ATTACHMENTS REQUIRED:**

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the **TOWN OF NEW WINDSOR**)
- ☐ One in the amount of \$ 300.00 or 500.00 , (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 , (application fee)
- ☐ One in the amount of \$ 25.00 , (Public Hearing List Deposit)
- ☐ Photographs of existing premises from several angles. **(IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT THREE(3) SETS OF THE PHOTOS.)**

**XIV. AFFIDAVIT.**

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE )

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

19<sup>th</sup> day of May 2004.

Christopher J. Bette  
Owner's Signature (Notarized)

CHRISTOPHER J. BETTE  
Owner's Name (Please Print)

Amy A. Thompson  
Signature and Stamp of Notary Public, State of New York  
No. 01MA5015435  
Qualified in Schenectady County  
Commission Expires July 19, 2005

Applicant's Signature (If not Owner)

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

COMPLETE THIS PAGE ☐

**04-43**